

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1040

JAMES FRANK TRIANA,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A79-092-485)

Submitted: July 26, 2004

Decided: August 18, 2004

Before WIDENER, LUTTIG, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Roberto Matus, LAW OFFICES OF ROBERTO MATUS, PA, Miami, Florida, for Petitioner. Peter D. Keisler, Assistant Attorney General, Linda S. Wendtland, Assistant Director, Shelley R. Goad, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

James Frank Triana, a native and citizen of Colombia, petitions for review of an order of the Board of Immigration Appeals affirming, without opinion, the immigration judge's denial of asylum and withholding of removal, in accordance with 8 C.F.R. § 1003.1(e)(4) (2004). For the reasons discussed below, we deny the petition for review.

Triana asserts that his testimony was credible and corroborated, and was therefore sufficient to establish his eligibility for asylum. To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We have reviewed the evidence of record and conclude that Triana fails to show that the evidence compels a contrary result.

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED